

Chapter Six:

Land Use

This chapter establishes the land use districts for the Downtown Village Specific Plan. This chapter is organized as follows:

- 6.1 Downtown Village Specific Plan Land Use Districts
- 6.2 Permitted Uses in the Downtown Village Specific Plan
- 6.3 Existing Single-Family Use Exemption
- 6.4 Existing Use Exemption in the Park District
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- 6.6 Development on Lots Divided by District Boundaries
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6.1 Downtown Village Specific Plan Land Use Districts

A City goal is to strengthen the Downtown Village Specific Plan area as the “heart” of the community and as the logical place for people to gather, shop and do business. The land use districts in the Downtown Village Specific Plan are intended to support this goal through elements of design and appropriate mixed use development. These land use districts, combined with the development standards and design guidelines in Chapter 7, provide for the orderly improvement of the Downtown Village Specific Plan area based on the following features:

- A mixture of land uses to encourage walking as an alternative to driving, and to provide more retail and housing options.
- Provision of both formal and informal community gathering places through the use of parks, plazas, walkways and a village square.
- Distinct storefront character, which identifies La Cañada Flintridge’s Downtown.
- Design standards and guidelines to maintain and enhance the city’s low-density, residential character.
- A range of housing types, including single-family, multiple-family and senior housing.

Figure 6.1 is the zoning map for the Downtown Village Specific Plan. The land use districts identified in Figure 6.1 are described below.

6.1.1 Mixed Use 1

The Mixed Use 1 district is established to provide opportunities for mixtures of retail, office, and residential uses in the same building. Mixed Use 1 is designed primarily to create and enhance retail, pedestrian-focused environments, such as the Village Center. Therefore, this zone requires retail and other appropriate commercial uses, as permitted in Table 6.1, at the ground-floor level to maintain and encourage activity in the Village Center.

Office or residential development is allowed on the second level with retail development on the ground floor. Retail development is also allowed on both levels without a requirement for accompanying residential or office uses.

6.1.2 Mixed Use 2

The Mixed Use 2 district is established to provide opportunities for mixtures of retail, office and residential uses in the same building, on the same parcel of land, or side by side within the same area. Multi-family residential development is allowed at densities up to 15 unit per acre without a requirement for retail or other commercial uses. Retail or other commercial development is allowed pursuant to the development standards and design guidelines in Chapter 7 of this Specific Plan without a requirement for accompanying residential uses.

6.1.3 Institutional

The Institutional district is established to provide areas in the Downtown Village Specific Plan for a variety of public, quasi-public and institutional facilities. The existing public and quasi-public uses in the Specific Plan area, including schools, churches, the community center, library, post office, and water district are designated Institutional.

6.1.4 Residential

The Residential district is established to provide an area in the Downtown Village Specific Plan for condominiums, apartments or townhouses that are located in the heart of downtown and are located within walking distance of the City’s main retail, restaurant and civic area. Multi-family residential development is allowed at densities up to 15 units per acre. This district also allows single family residential development with a minimum lot size of 5,000 square feet.

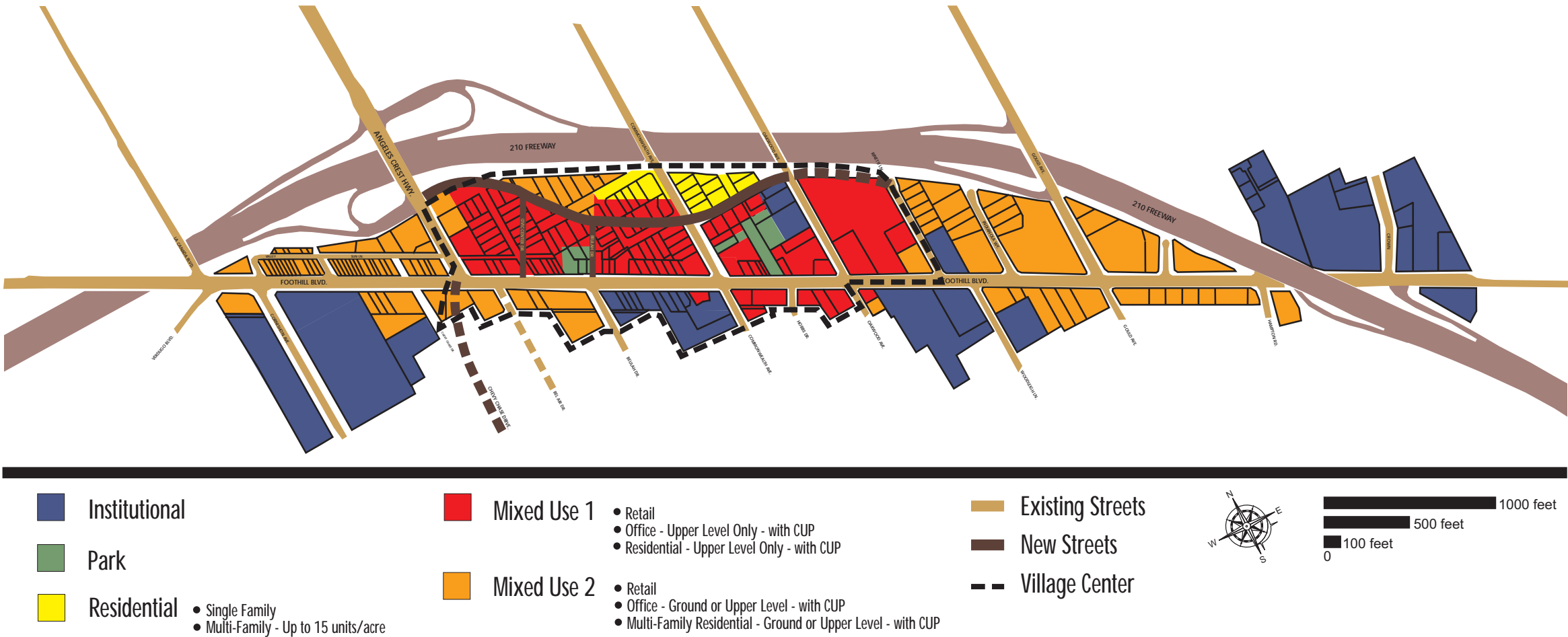


Figure 6.1: Land Use Districts

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6.1.5 Park

The Park district is established to provide areas for public parks and open spaces in the Downtown Village Specific Plan. The Park district also accommodates athletic fields where size permits, as well as outdoor amphitheatres and their associated structures and uses.

6.2 Permitted Uses in the Downtown Village Specific Plan

The following uses shall be permitted in the Downtown Village Specific Plan where the symbol “P” appears, and shall be permitted subject to a Conditional Use Permit where the “CUP” symbol appears. Where the symbol “NP” appears, the uses are not permitted in that land use district. Uses subject to review and approval by the Director of Community Development are listed as “Director’s Review.” All other uses not specifically listed are prohibited, provided, however, that the Planning Commission may determine that any use not listed is comparable to a listed use and shall be treated in a similar manner. Such determination is appealable to the City Council. A list of all comparable use determinations shall be kept on file in the Planning Department.

Projects subject to Design Review prior to development or a change in use include:

- Non-residential projects requiring building permits for exterior work.
- Multiple-family residential projects requiring building permits for exterior work.
- Permanent signage and/or awnings.
- Landscaping in connection with a required design review.

All permitted uses in all land use districts with a gross floor area greater than 10,000 square feet require a Conditional Use Permit.

Table 6.1
Permitted Uses in the Mixed Use 1 and Mixed Use 2 Districts

	MIXED USE 1	MIXED USE 2
Accessory uses and structures , incidental and subordinate to the principal use or structure on the same lot	Director's Review	Director's Review
Alcoholic beverage sales , whether consumption on or offsite and whether alone or in conjunction with other uses	CUP	CUP
Art galleries	P	P
Automobile sales , excluding outdoor sales lots	NP	CUP
Automobile supply stores	NP	P
Automotive services - minor - Service or repair to motorized vehicles which do not affect the body or frame. Minor automotive services include: gasoline service stations; smog control certification; tire sales or installation; glass installation; radiator repair; detail shops; or other similar service or repair. All repair activities shall be conducted within an enclosed building.	NP	CUP
Banks, savings and loans	P	P
Car Wash (enclosed and automated), as accessory use to gas station	NP	CUP
Commercial schools , including the arts, grooming, manual training, shop work, tutoring	CUP	CUP
Commercial uses located below residential uses (any commercial use with a residential use on the level above)	CUP	CUP
Day care centers for children	CUP	CUP
Dry cleaners	CUP	CUP
Food markets , including grocery stores, supermarkets and specialty food stores	P ¹	P ¹
Government and administrative offices and facilities	CUP	CUP
Health clubs, gymnasiums, aerobics studios	CUP	CUP
Home occupations , pursuant to the standards established in the Zoning Code	P - upper level only	P
Hotels, motels, bed and breakfast inns	NP	CUP

Table 6.1 (continued)
Permitted Uses in the Mixed Use 1 and Mixed Use 2 Districts

	MIXED USE 1	MIXED USE 2
Medical and Health Services , including hospitals, laboratories as a primary use, supplies, rental sales and service, veterinary office and clinics which do not have outdoor kennels, animals hospitals and ambulance services	NP	CUP
Nurseries , including growing of plant stock	NP	P
Outside storage and displays	Director's Review	Director's Review
Parking as a principal use ²	CUP	CUP
Personal service establishments , such as barber and beauty shops, shoe repair, photographic studios	P	P
Pet grooming , excluding boarding	NP	CUP
Pet sales	CUP	CUP
Plumbing shops	NP	CUP
Pool service and supply	NP	P
Professional offices , including business, medical and dental offices and accessory laboratories	CUP - upper level only	CUP
Real estate offices	CUP	CUP
Recreation facilities , including tennis, golf, skateboard park, bowling alley, dance hall, skating rink, indoor soccer field, and other similar uses, together with appurtenant clubhouse	CUP	CUP
Residential: Multiple-family dwelling (maximum 15 units per acre)	CUP - upper level only	CUP
Residential: Senior citizen multiple-family dwelling (maximum 15 units per acre) pursuant to the criteria established in Section 6.7 of this Plan	CUP - upper level only	CUP
Restaurants & other eating establishments, including food take-out and catering, but excluding drive-through	P	P
Restaurants with outside eating facilities	P ³	CUP
Retail businesses , such as variety, hardware, drug, dry goods, florists, home furnishings, clothing, photography, sporting goods, hobby, pet supply stores and similar retail uses	P	P

	MIXED USE 1	MIXED USE 2
Service businesses , including but not limited to adjustment and collection agencies, advertising agency, business management services, credit agency, duplicating, addressing, blue printing, photocopying, mailing and stenographic services, employment agency, office equipment rental agency, repair shops, telephone answering service, and other business services such as bondsman, drafting, detective agency, notary public and like services	CUP - upper level only	P
Schools through grade 12 , accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP	CUP
Telecommunications equipment and antennae , pursuant to the standards established in the Zoning Code	CUP	CUP
Temporary storage of materials and construction equipment used in construction or maintenance for a period not to exceed one year	CUP	CUP
Temporary uses and events	Director's Review	Director's Review
Theaters and other auditoriums	CUP	CUP
Travel agencies	CUP	CUP

¹ Food markets greater than 12,500 square feet shall be prohibited in Subareas 1 and 2 of the Downtown Village Specific Plan. Subareas 1 and 2 are defined in Section 7.2.6.

² The top of any parking structure may be developed and used for recreational purposes with a Conditional Use Permit.

³ Outdoor speakers require Planning Commission review.

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Table 6.2
Permitted Uses in the Institutional District

	INSTITUTIONAL
Churches, temples , and other places used exclusively for religious worship, including customary incidental educational and social activities	CUP
Day care centers for children	CUP
Energy and communication control stations , general utility only	P
Fire stations	CUP
Gas metering & control (public utility)	P
Government and administrative offices and facilities	CUP
Hospitals	CUP
Libraries	P
Museums	P
Post Office	CUP
Other publicly owned uses	CUP
Lodge halls, clubhouses, meeting rooms	CUP
Residential care home and facilities	CUP
Schools through grade 12 , accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP
Telecommunications equipment and antennae , pursuant to the standards established in the Zoning Code	CUP

Table 6.3
Permitted Uses in the Residential District

	RESIDENTIAL
Home occupations , pursuant to the standards established in the Zoning Code	P
Residential: Single-family dwelling	P
Residential: Senior citizen multiple-family dwelling (maximum 15 units per acre) pursuant to the criteria established in Section 6.7 of this Plan	CUP

Table 6.4
Permitted Uses in the Park District

	PARK
Public parks and their accessory structures	P
Athletic fields, recreational uses and their accessory uses and structures	CUP
Amphitheaters and their accessory uses and structures	CUP

6.3 Existing Single-Family Use Exemption

Notwithstanding any provision of this Chapter to the contrary, any single-family residential building and/or residential accessory structure which is in existence under a valid building permit, or for which building permits have been issued as of the date of the adoption of this Ordinance, and which would otherwise be rendered nonconforming solely by reason of application of this Chapter, shall not be deemed to have acquired a nonconforming status as defined by the Zoning Code, but shall be deemed to be a legal use. As a legal use, additions, modifications, repairs to, or reconstruction of the single-family residential buildings or structures shall be permitted, including any such work necessary as a result of the single-family residential building and/or accessory structure being damaged or destroyed by any cause. All such additions, modifications, repairs or reconstruction shall comply with and be subject to all the regulations pertaining to single-family residential zones in the City.

6.4 Existing Use Exemption in the Park District

Notwithstanding any provision of this Chapter to the contrary, any commercial building and/or associated accessory structure located within the Park district, which is in existence under a valid building permit, or for which building permits have been issued as of the date of the adoption of this Ordinance, and which would otherwise be rendered nonconforming solely by reason of application of this Chapter, shall not be deemed to have acquired a nonconforming status as defined by the Zoning Code, but shall be deemed to be a legal use. As a legal use, repairs to, or reconstruction of the buildings or structures shall be permitted, including any such work necessary as a result of the building and/or accessory structure being damaged or destroyed by any cause. Additions and modifications to such commercial buildings and/or associated accessory structures shall be prohibited.

6.5 Nonconforming Uses – Conditional Use Permits

Any use which is nonconforming for failure to have a valid and approved conditional use permit shall be required to process and receive approval of a conditional use permit or terminate such use upon the occurrence of any one of the following:

- i. Destruction by natural disaster or accident (i.e., fire, earthquake) of fifty percent or more of a structure’s square footage at the time of destruction;
- ii. Enlargement or expansion of use, structure or property or other improvements to the property, other than those mandated by federal, state or county agencies in compliance with regulatory provisions;
- iii. Change of tenant;
- iv. Change of use.

6.6 Development on Lots Divided by District Boundaries

Because the Specific Plan is a long term planning document intended to create a downtown environment, land use districts are applied to the Specific Plan area based on the desired design for the City’s Downtown. Therefore, land use district designations do not always follow lot line boundaries. It is likely that implementation of the Specific Plan will necessitate future lot consolidation and/or reconfiguration of lot boundaries in certain areas.

On a lot that is divided by a land use district boundary, the owner shall apply to the entire lot the regulations of the district that exceeds fifty (50) percent of the lot area. If requested by the property owner, the Planning Director may make a finding that the land use district on the smaller portion of the lot shall apply

to the entire lot if such zoning is more compatible with surrounding uses and supports the intent of the Specific Plan.

6.7 Criteria for Senior Citizen Multiple-family Dwellings

Senior citizen multiple-family dwellings are permitted as listed in Tables 6.1 through 6.4, provided that all of the following criteria are met:

6.7.1 The building(s) or structure(s) are designed specifically for housing for senior citizens.

6.7.2 The property owner has entered into a covenant, running with the land, requiring that the senior citizen housing development shall be maintained pursuant to the following conditions:

- i. That at least one person in residence in each dwelling unit be required to be a senior citizen and that each other resident in the same dwelling unit shall be a qualified permanent resident.
- ii. That a person hired for compensation to provide live-in, long-term or terminal health care to a senior citizen may occupy the dwelling unit for such period of time the person is providing the service.
- iii. That upon death, dissolution of marriage, or upon hospitalization or other prolonged absence of the senior citizen, any qualified permanent resident shall be entitled to continue occupancy of the dwelling unit with the full rights of the senior citizen.
- iv. That temporary residency shall be permitted by a person of less than 45 years of age for periods of time, not less than 60 days in any year, as specified in the covenant.
- v. That for purposes of this Chapter and the covenant, “senior citizen” shall mean a person 62 years of age or older; and

“qualified permanent resident” shall mean a person who is both residing with the senior citizen prior to death, hospitalization or other prolonged absence of, or dissolution of marriage with the senior citizen, and is 45 years of age or older, or was a spouse, cohabitant or person providing primary physical or economic support to the senior citizen.

6.7.3 The covenant has been submitted to the City for review and approval by the City Attorney and recorded in the Office of the County Recorder prior to issuance of building permits for the senior citizen housing development.

6.8 Flexible Park District Boundary

The final boundary of Park district designation as set forth in Figure 6.1 may be modified as to exact location and size as approved by the Planning Commission without the requirement to amend this Specific Plan.

The final location and size of the Village Square Park shall be a minimum of 0.75 acres, be generally rectangular in form, with a minimum length and width of 130 feet and shall front on the north side of Foothill Boulevard. The final location and size of Oak Park shall be a minimum of one acre, adjacent to the City library with a corridor finger minimum width of 30 feet to Commonwealth Avenue, a corridor finger minimum width of 50 feet to Foothill Boulevard, and a pedestrian connection to the North Road.

